



DOWIE AND VOLIVA ARE NOT ABLE TO AGREE

Question of Who Shall Gain Control of Zion City and Its Vast Resources is Unsettled Negotiations are Broken Off.

ELIJAH WILL SOON ADVANCE ON ZION CITY

"FIRST APOSTLE'S" ATTORNEYS WILL FILE BILL IN COURT ASKING THAT DEED TRANSFERRING ZION'S PROPERTY TO DEACON GRANGER, BE DECLARED VOID—MAY EXCOMMUNICATE VOLIVA.

CHICAGO, April 17.—All negotiations looking toward a peaceful settlement of the question, who shall control Zion City and its vast resources, were broken off today. Dowie, through his lawyers, rejected the proposition advanced by Voliva yesterday that the \$21,000,000 estate be turned over to a board of control. It was stipulated that the action of the members thereof should be final in determining whether the "First Apostle" or Voliva shall be the recognized head of the church. Dowie rejected the proposal on the ground that not only would he not acquiesce in the appointment of Voliva on the

board, but he was no longer recognized as the new leader by members of the church. In speaking of the ultimatum Attorney Haley, representing Dowie, said that as soon as he can obtain the necessary information, a bill in chancery will be filed in the circuit court of Lake county. This instrument is a petition that the deed from Voliva to Granger of the Zion City property, be declared void. Dowie, it is said, will go to Zion City some time this week. It is declared by Dowieites when the "First Apostle" enters the city he founded. It will be as head of the church. Voliva, they say, will be excommunicated.

FIGHT DRAW.

Davis of Salt Lake and Billy De Cour-SAN DIEGO, Cal., April 17.—Terry sey of this city, fought twenty rounds to a draw here last night.

NO DISTURBANCES

Springfield Was Quiet All Day Yesterday.

MANY SOLDIERS ON GUARD

Situation Was Unchanged Yesterday And All Was Quiet—Coroner's Jury Acquits Peters of Killing Negro Assaulter.

SPRINGFIELD, April 17.—The situation is practically unchanged. There have been no disturbances today and the crowds are diminished in size. The soldiers have not appeared in the streets. They remained handy in camp ready to march at a moment's notice. The streets intersecting the jail will be guarded during the night so that all likelihood of trouble is diminished.

Leslie Peters, who last night shot Ralph Burns, while defending his sweetheart, was today acquitted by the coroner's jury. The latest crime has not

wrought up any great feeling among the whites.

Many negroes here declare they are glad Burns was killed. He was regarded as a bad man and accordingly feared by many of his own race.

DIAMOND ROBBERY.

SAN FRANCISCO, April 17.—A daring diamond robbery was committed this afternoon in the Chronicle building. Two thieves entered the store of J. Q. Hatch and engaged the attention of the clerk and one of them asked change for a \$10 gold piece and as the clerk turned and opened the safe was struck a blow over the head with the butt end of a revolver and rendered unconscious. A tray of diamonds valued at several thousand dollars was taken from the show case.

TRIAL IS POSTPONED

Rev. Crapsey Charged With Heresy Obtains a Postponement of Trial For Few Days.

BATAVIA, N. Y., April 17.—The trial of Rev. Algernon S. Crapsey of the Protestant Episcopal Church on charges of heresy was called before the ecclesiastical court at St. James' Parish house today. Dr. Crapsey's first move to secure an adjournment, was defeated by a vote of four to one, but when his counsel announced the case would be allowed to go by default if the court insisted proceeding with the trial, it was decided to postpone it until April 25th.

MILWAUKEE ROAD BUYS O. W. P. & R. R. COMPANY

PORTLAND, April 17.—The Oregon Water Power & Railway Company, according to information received today, has been sold. The purchaser was not made known nor are local officials able to shed any light on the subject. It is the belief that the purchaser is the Chicago, Milwaukee & St. Paul Railroad,

and that the Columbia Valley Railroad, now constructing a right of way down the north bank of the Columbia River with the Portland and Seattle Railroad, is being constructed in the Milwaukee interests and the Milwaukee by means of the Columbia Valley & Oregon Water Power will provide itself with a water level route across the Cascades.

SENATE PASSES JETTY APPROPRIATION.

WASHINGTON, D. C., April 17 (Special).—The Senate today passed the house appropriation bill, providing for the improvement of the jetty at the mouth of the Columbia River. The appropriation amounts to \$400,000 and insures the further carrying out of the improvements. A clause in the bill, as passed makes the money immediately available for use. There was no opposition to the measure, which went through along with a number of other bills. Preceding the taking of the appraised rate bill Tillman called up the resolution directing the committee on finance for an investigation of campaign contributions by national banks, and the resolution was referred to the finance committee. Foster spoke for almost three hours on the rate bill, contending to validate the proposed legislation and announced his support of the court of review provision, with a prohibition against temporary injunctions.

SHOOTING AFFRAY.

NEW YORK, April 17.—Two men fought over a girl on a surface car bound in from Coney Island early today and three of their friends took sides, drew revolvers and began firing. There were a dozen other passengers in the car. They with the conductor and motorman, sprang from the car and ran to a safe distance, calling for police. Some of the men had knives, which they used. When police reserves arrived four of the windows had been shot out and the interior of the car was wrecked. Three men were stretched on the floor. The others fled at the approach of the police, but five of them were captured. Vincoso Carraera was shot through the right thigh. Carroll Simono and Antonio Notaro were cut so badly with knives that they may die.

WILL FILED FOR PROBATE.

CHICAGO, April 17.—The will of Berthold Lowenthal, disposing of an estate valued at \$2,000,000, was filed for probate yesterday. Mrs. Nannie Lowenthal, the widow and Julius W. Lowenthal, a son, are named as executors. The bulk of the estate is given to the widow and children, Julius W. Lowenthal and Mrs. Julia Wolf, a daughter. The sum of \$28,000 is given to various charitable institutions.

MISTAKE IS MADE

American Attitude Toward Chinese Severely Criticized.

COMMERCIAL INTERESTS HURT

Noted American Student of Oriental Conditions Terms Empress Dowager Greatest Opportunist That He Had Ever Known.

NEW YORK, April 17.—Members of the Congregationalist Club, of New York, gave a reception and banquet last night to Rev. Arthur H. Smith, of China, an author and student of oriental questions. Mr. Smith was recently called to this country by the American Board of Foreign Missions to deliver several addresses and to aid in obtaining funds for additional missionary work in China.

Mr. Smith severely criticised the present attitude of Americans toward the Chinese. He thought we were making a mistake which would affect us vitally in a commercial way. Speaking of the Dowager Empress, he said that she was to be compared with the vicar of Bray, who rapidly changed his beliefs and creeds to meet constantly changing conditions. He termed her "The greatest opportunist" he had ever known of or had ever read about. He likened the Boxer movement to our spirit of 1776.

BASEBALL SCORES.

FRESNO, April 17.—Oakland 6, Fresno 5.
LOS ANGELES, April 17.—Los Angeles 2, Seattle 1.
SAN FRANCISCO, April 17.—San Francisco 6, Portland 2.

ARRIVES FROM NAPLES.

First Steamer Since Eruption Arrives in New York.

NEW YORK, April 17.—The White Star steamer Republic, which arrived yesterday from Alexandria and Naples is the first of her line to reach here since Vesuvius was in eruption, and while the eruptions were light before the vessel left Naples the rumblings were plainly audible on the morning of April 5. Captain James McCauley said yesterday:

"On the fourth just before we left Naples, I noticed smoke heavier than usual issuing from Vesuvius, but it seemed to come from a new crater further down the mountain. The smoke was dark and sulphurous looking and there was a whiff of brimstone in the air. Then there was a roaring sound like that of thousands of heavily loaded trucks passing slowly over a cobblestone pavement, and to me it seemed that the ship trembled. We got away, however, before the worst came.

On the Republic was Thomas P. Fowler, president of the Ontario and Western Railway, who was chairman of the investigating committee of the New York Life Insurance Company. Mr. Fowler left New York in company with his wife last February.

"I have been away on pleasure," said he, "and have not heard anything of insurance since I left."

INVESTIGATE SITUATION.

WASHINGTON, April 17.—Attorney-General Moody today gave out a statement that Charles E. Hughes of the New York bar and Alexander Simpson Jr. of the Pennsylvania bar have been retained by the department of justice to investigate the transportation and sale of coal in interstate commerce and advise what legal proceedings should be begun and to conduct, under the direction of the attorney-general any suits growing out of their investigation.

WOMAN IS ATTACKED

French Miners Attack Non-Striking Miner's Wife, Tearing Off Clothing of Woman.

LENS, France, April 17.—There was a renewal today of disturbances consequent to the strike of the miners in the Pas de Calais district. The wife of a miner, who refused to strike was attacked in her home by 150 miners, her clothing torn off and the furniture wrecked. Gendarmes, who interfered to stop the riot were stoned and the cavalry sent to their assistance was similarly treated. A cavalry officer and 15 others received minor wounds. Several women were arrested, but subsequently released. Rioting was resumed tonight. The local authorities are calling urgently for assistance.

HOUSE CONSIDERS BILLS.

WASHINGTON, April 17.—To clear the legislative decks for pending money bills the House worked uninterruptedly from 11:30 to 5 o'clock today. Next to the national quarantine bill, the bill to regulate appeals in criminal cases was probably of the largest interest; the attorney-general deeming such legislation of vital interest on account of the decision in the beef trust case. The House also passed 572 private pension bills.

RUSSIA HAS NEGOTIATED IMMENSE FOREIGN LOAN

Successful Negotiating of Foreign Loan of Four Hundred and Fifty Million Dollars Saves Government for Another Two Years.

PREMIER WITTE ENCOURAGED WITH OUTLOOK

REVOLUTIONISTS ARE CRESTFALLEN OVER DECISION OF FOREIGN BANKERS TO AID GOVERNMENT—WITTE HAS UPPER HAND AND DURNOVO IS DEFINITELY SLATED FOR RETIREMENT AT ONCE.

ST. PETERSBURG, April 17.—The successful negotiation of a foreign loan of \$450,000,000, as ruinous as are the rates Russia is obliged to pay for money, extricates the government from much embarrassment and enables it to clear away the accumulation of debts and furnish the cash necessary to keep the treasury above water at least two years, irrespective of the attitude of the national parliament. Premier Witte

is greatly encouraged by the outlook. The Associated Press is in a position to confirm the report that Witte has now definitely got the upper hand over Durnovo. The downfall of the latter is a matter of only a few weeks at the most as the Emperor has promised to dismiss him before parliament meets. The opposition and especially the revolutionists are crestfallen over the decision of foreign bankers to come to the government's rescue in the present crisis.

KILLING CATS.

CITY OF MEXICO, April 17.—President Diaz and party returned yesterday from the hunting trip, having had the good fortune of killing three mountain cats and seventeen deer. The President was in excellent condition and stood the trip better than some younger men of the party.

QUIET IS RESTORED

Constabulary Arrive in Windber Preventing Riots.

ANOTHER OUTBREAK FEARED

When the Funerals of the Deceased Members Are Held Today the Miners Will Make Trouble.

JOHNSTOWN, Pa., April 17.—Windber's streets tonight are bristling with the bayonets of the state constabulary, restoring order brought out of the riotous and chaotic conditions prevailing last night. There is still an undercurrent of feeling that there will be another outbreak, when the funerals of the mob victims occur tomorrow. It needs but a petty quarrel between the strikers and the non-union men to again set the town in lawlessness.

OPERATORS ALLEGE NO CAUSE FOR ARBITRATION

NEW YORK, April 17.—The operators' sub-committee today held a meeting and decided to send a letter to President Mitchell of the Mine Workers in which the operators declare there is nothing to arbitrate except the question of whether there shall be any arbitration. A reply is expected to Mitchell's recent amended proposition of arbitration. The operators however

do not refuse point blank to accept Mitchell's latest plan. They assert all differences between the miners and employers have been already decided by the strike committee and there is nothing for re-arbitration. The operators assert the miners offer to waive the formal recognition of the miners' union is not material and also the miners program to increase the cost of domestic sizes of coal to \$1.20 per ton.

ACQUITTED BY JURY.

BUTTE, Mont., April 17.—A special to the Miner from Helena, Mont., says: The jury in the Julia King murder trial rendered a verdict of acquittal last night after being out five hours. The jury stood eleven for acquittal and one for manslaughter on the first ballot and succeeding ballots showed no change until just before nine when the one rebellious juror receded and made the verdict unanimous. The plea set up by the defendant was a novel one and was the first of its kind in the history of the state being that of hysteria pronounced by attorneys to be a more difficult mental condition to establish than mere emotional insanity.

ARRIVES FROM ORIENT.

VANCOUVER, B. C., April 17.—Viscount Aoki, the first Japanese ambassador to the United States arrived this evening on the Empress of China and will leave for Washington tomorrow. Admiral Sir Gerard Noel, the retiring commander in chief of the British China squadron was also a passenger on the Empress.

EASTER BANQUET.

NEW YORK, April 17.—The St. Nicholas Society of New York held its seventy-first annual Easter Banquet at Delmonico's last night. Representative Philip Campbell of Kansas; John McElroy of Washington, D. C.; and W. E. Andrews of Washington, auditor of the United States treasury department, were among the guests and speakers.

NOMINATION CONFIRMED.

WASHINGTON, April 17.—The Senate today confirmed the nomination of Alfred S. Moore, of Pennsylvania, to be United States District Judge of the second district of Alaska.